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Notice of Rulemaking Hearing

Hearings will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, T.C.A. § 4-5-204. For questions and copies of the notice, contact the person listed below.

Agency/Board/Commission:	Environment & Conservation
Division:	Air Pollution Control
Contact Person:	Travis Blake
Address:	William R. Snodgrass Tennessee Tower 312 Rosa L. Parks Avenue, 15th Floor Nashville, TN 37243
Phone:	(615) 532-0617
Email:	travis.blake@tn.gov

Any Individuals with disabilities who wish to participate in these proceedings (to review these filings) and may require aid to facilitate such participation should contact the following at least 10 days prior to the hearing:

ADA Contact:	ADA Coordinator
Address:	William R. Snodgrass Tennessee Tower 312 Rosa L. Parks Avenue, 22nd Floor Nashville, Tennessee 37243
Phone:	1-866-253-5827 (toll free) or 615-532-0200 Hearing impaired callers may use the TN Relay Service 1-800-848-0298
Email:	Beverly.Evans@tn.gov

Hearing Location(s) (for additional locations, copy and paste table)

Address 1:	Conference Room A			
Address 2:	William R. Snodgrass Tennessee Tower 312 Rosa L. Parks Avenue, 15th Floor			
City:	Nashville, Tennessee			
Zip:	37243			
Hearing Date :	06/13/17			
Hearing Time:	9:30 AM	<input checked="" type="checkbox"/> X	CST/CDT	<input type="checkbox"/> EST/EDT

Additional Hearing Information:

There will be a public hearing before the Technical Secretary of the Tennessee Air Pollution Control Board to consider the promulgation of amendments to the Tennessee Air Pollution Control Regulations and the State Implementation Plan pursuant to Tennessee Code Annotated, Section 68-201-105. The comments received at this hearing will be presented to the Tennessee Air Pollution Control Board for their consideration in regards to the proposed regulatory amendments. The hearing will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, T.C.A. §§ 4-5-201 et seq. and will take place in the 15th Floor Conference Room A, William R. Snodgrass Tennessee Tower, located at 312 Rosa L. Parks Avenue, Nashville, Tennessee 37243 at 9:30 AM CDT on June 13, 2017. Written comments will be included in the hearing records if received by the close of business on June 13, 2017, at the office of the Technical Secretary, Tennessee Air Pollution Control Board, William R. Snodgrass Tennessee Tower, located at 312 Rosa L. Parks Avenue 15th Floor, Nashville, Tennessee 37243. Additionally, comments may be submitted via attachments through electronic mail until the close of business on June 13, 2017. Comments may be submitted via e-mail to Air.Pollution.Control@tn.gov.

Any individuals with disabilities who wish to participate in these proceedings or to review these filings should contact the Tennessee Department of Environment and Conservation to discuss any auxiliary aids or services needed to facilitate such participation. Such initial contact may be in person, by writing, telephone, or other means, and should be made no less than 10 days prior to June 13, 2017, or the date such party intends to review such filings, to allow time to provide such aid or service. Contact the Tennessee Department of Environment and Conservation ADA Coordinator, William R. Snodgrass Tennessee Tower, 312 Rosa L. Parks Avenue 22nd Floor, Nashville, TN 37243, (866) 253-5827. Hearing impaired callers may use the Tennessee Relay Service, (800) 848-0298.

If you have any questions about the origination of these rule changes, you may contact Travis Blake at (615) 532-0617. For complete copies of the text of the notice, please contact Travis Blake, Department of Environment and Conservation, William R. Snodgrass Tennessee Tower, 312 Rosa L. Parks Avenue 15th Floor, Nashville, TN 37243 or via e-mail at travis.blake@tn.gov.

Tennessee proposes to amend Chapter 1200-03-10 Required Sampling, Recording, and Reporting by adding a new Rule 1200-03-10-.05 (Emissions Inventory Requirements). This rule would require affected sources to submit emission inventory information consistent with the provisions of 40 CFR Part 51, Subpart A. This rule would apply only to the pollutants listed 40 CFR §51.15(a)(1) (sulfur dioxide, volatile organic compounds, nitrogen oxides, carbon monoxide, lead and lead compounds, primary PM2.5, primary PM10, and ammonia). Pursuant to T. C. A 68-201-105(b)(2), Tennessee may request emissions estimates for additional pollutants (such as hazardous air pollutants), but those pollutants would not be subject to this rule.

Interested parties may submit comments on these proposed revisions. In publishing this hearing notice, Tennessee is providing the following information to clarify the scope and intent of the proposed rule:

1. Paragraph (2) of the proposed rule requires inventories to be submitted and certified in accordance with forms and guidance provided by the Technical Secretary. The rule does not provide specific certification language, but Tennessee is working to implement a web-based emission inventory program such as the State and Local Emissions Inventory System (SLEIS). Tennessee expects that the certification will be comparable to the existing SLEIS language, which reads as follows:
 - I certify that I have not violated any term in my Electronic Subscriber Agreement and that I am otherwise without any reason to believe that the confidentiality of my user ID and/or password have been compromised now or at any time prior to this submission. I understand that this attestation of fact pertains to the implementation, oversight, and enforcement of a federal environmental program and must be true to the best of my knowledge.
 - I am the owner of the account used to perform the electronic submission and signature.
 - I have the authority to submit the data on behalf of the facility I am representing.
 - I agree that providing the account credentials to sign the submission document constitutes an electronic signature equivalent to my written signature.
 - I have reviewed the electronic report being submitted in its entirety, and agree to the validity and accuracy of the information contained within it to the best of my knowledge.
2. Paragraph (3) of the proposed rule states that forms may be made available electronically and requires electronic inventories to be submitted in accordance with Tennessee Comprehensive Rules and Regulations Chapter 0400-01-40 (Electronic Reporting). This paragraph is written to allow a phased implementation of electronic reporting requirements.

Revisions considered at this hearing may be adopted by the Tennessee Air Pollution Control Board under T.C.A. § 68-201-105, the Board general authority to promulgate rules. All persons interested in the air quality of the State of Tennessee are urged to attend and will be afforded the opportunity to present testimony to the hearing officer regarding the proposed revisions to the State Implementation Plan. Any person desiring to present lengthy comments should be prepared at the hearing to offer a written statement to be incorporated into the record. Written statements not presented at the hearings will only be considered part of the records if received by 4:30 PM on June 13, 2017, at the office of the Technical Secretary, Tennessee Air Pollution Control Board, William R. Snodgrass Tennessee Tower, 312 Rosa L. Parks Avenue 15th Floor, Nashville, TN 37243.

Revision Type (check all that apply):

☒ Amendment
☐ New
☐ Repeal

Rule(s) (**ALL** chapters and rules contained in filing must be listed. If needed, copy and paste additional tables to accommodate more than one chapter. Please enter only **ONE** Rule Number/Rule Title per row.)

Chapter Number	Chapter Title
1200-03-10	Required Sampling, Recording, and Reporting
Rule Number	Rule Title
1200-03-10-.05	Emissions Inventory Requirements

(Place substance of rules and other info here. Statutory authority must be given for each rule change. For information on formatting rules go to <http://state.tn.us/sos/rules/1360/1360.htm>)

Chapter 1200-03-10
Required Sampling, Recording, and Reporting

Amendments

The table of contents to Chapter 1200-03-10 Required Sampling, Recording, and Reporting is amended by adding a new rule to the table to read as follows:

1200-03-10-.05 Emissions Inventory Requirements

Authority: T.C.A. §§ 68-201-101 et seq. and 4-5-201 et seq.

Chapter 1200-03-10 Required Sampling, Recording, and Reporting is amended by adding a new rule to read as follows:

1200-03-10-.05 Emissions Inventory Requirements

- (1) Stationary sources that exceed the emission thresholds specified in 40 CFR 51 Subpart A shall submit emissions inventories of the pollutants listed in §51.15(a)(1), as follows:
 - (a) Electricity generating units (EGUs), as defined in subpart (9)(d)2(i) of Rule 1200-03-26-.02, shall submit emissions inventories no later than July 1 of each calendar year.
 - (b) All other stationary sources shall submit emissions inventories no later than June 1 of each calendar year.
- (2) Emissions inventories shall be submitted and certified in accordance with forms and guidance provided by the Technical Secretary.
- (3) The Technical Secretary may make the forms required by paragraph (2) of this rule available electronically and, if submitted electronically, then the emissions inventories shall be submitted in accordance with the requirements of Chapter 0400-01-40.

Authority: T.C.A. §§ 68-201-101 et seq. and 4-5-201 et seq.

I certify that the information included in this filing is an accurate and complete representation of the intent and scope of rulemaking proposed by the agency.

Date: _____

Signature: _____

Name of Officer: Michelle W. Owenby

Title of Officer: Technical Secretary

Subscribed and sworn to before me on: _____

Notary Public Signature: _____

My commission expires on: _____

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Filed with the Department of State on: _____

Tre Hargett
Secretary of State